

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**JAMES POWELL and SHATONYA
SMITH,**

Plaintiffs,

V.

**CHICAGO POLICE OFFICERS
D. WETZEL, Star #8206, D. MULLANY,
Star #10886, K. MULCAHY, Star No. 19640,
K. FOSTER, Star #11780, D. WU, Star
#1238, P. SODINI, Star #1665, the CITY OF
CHICAGO, and UNKNOWN CHICAGO
POLICE OFFICERS,**

Defendants.

No. 08 C 290

Judge Norgle

Magistrate Judge Mason

**DEFENDANT CITY OF CHICAGO’S UNOPPOSED MOTION FOR AN
EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD**

Defendant City of Chicago (“the City”), through its attorney Mara S. Georges, Corporation Counsel of the City of Chicago, pursuant to Federal Rule of Civil Procedure 6(b), moves this Court for an extension of time until April 30, 2008, to answer or otherwise plead to plaintiffs’ complaint. In support of this motion, the City states as follows:

1. Plaintiffs filed their eight-count complaint on January 13, 2008. The complaint alleges federal claims under 42 U.S.C. § 1983 and Illinois state law claims against the City, six named Chicago police officers, and other unknown Chicago police officers.

2. Plaintiffs' complaint and summons were served on the City on or about February 15, 2008. Undersigned counsel for the City, however, were assigned this case and received the complaint yesterday, March 31, 2008, several days after the City was due to answer or plead in response to plaintiffs' complaint.

3. Because of this delay in receiving the complaint, the undersigned counsel have not yet begun the process of gathering and examining the pertinent records to investigate all of plaintiffs' allegations and identify the remaining unknown Chicago police officers.

4. Therefore, the City requests until April 30, 2008, to answer or otherwise plead in response to plaintiffs' complaint.

5. This is the first extension of time the City has sought in this case.

6. This motion is not brought for the purpose of delay or any other improper purpose, but so that the City can properly respond to the allegations in plaintiffs' complaint.

7. Plaintiffs will not be prejudiced if the requested extension of time is granted.

8. Undersigned counsel spoke with one of plaintiffs' attorneys, Christopher Smith, today, and plaintiffs do not object to this motion.

For these reasons, the City requests that the Court grant the City's unopposed motion for an extension of time to and including April 30, 2008, to answer or otherwise plead to plaintiffs' complaint.

Respectfully submitted,

MARA S. GEORGES
Corporation Counsel of the
City of Chicago

Dated: April 1, 2008

By: s/ Bhairav Radia
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